

Wessinger-Hill, JoAnne

From: Wessinger-Hill, JoAnne
Sent: Thursday, September 10, 2020 5:06 PM
To: MATTHEW GISSENDANNER; Minges, Josh; J. Ashley Cooper; Weston Adams; chad.burgess@dominionenergy.com; Pittman, Jenny; Weston Adams; J. Ashley Cooper; bdover@scconsumer.gov; Grube-Lybarker, Carri; court.walsh@nelsonmullins.com
Cc: Pittman, Jenny; court.walsh@nelsonmullins.com; Paul Esformes; Middleton, Will
Subject: RE: [External] Re: Ecoplexus settlement and request to cancel MTD
Attachments: 2020-09-10.SHOD Docket No. 2019-130-E RE Abeyance Due to Settlement.pdf

Dear Parties:

Thank you for your letter advising that this matter is resolved and that you are in the process of executing settlement documentation.

Attached is a courtesy copy of the Standing Hearing Officer Directive regarding this matter. The 9/11/2020 Oral Argument is canceled, or held in abeyance, pending formal execution of a settlement agreement and approval by the Commission of the same.

With kind regards, I am

Jo Anne Wessinger Hill

Jo Anne Wessinger Hill

**C. Jo Anne Wessinger Hill, Esq.
 General Counsel to the Commission
 Public Service Commission**

State of South Carolina

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staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter. If you have received this communication in error, please immediately notify us by telephone at (803) 896-5100.

From: MATTHEW GISSENDANNER <matthew.gissendanner@dominionenergy.com>

Sent: Thursday, September 10, 2020 4:25 PM

To: Minges, Josh <Josh.Minges@psc.sc.gov>; Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; J. Ashley Cooper <ashleycooper@parkerpoe.com>; Weston Adams <weston.adams@nelsonmullins.com>

Cc: Pittman, Jenny <jpittman@ors.sc.gov>; court.walsh@nelsonmullins.com; Paul Esformes <pesformes@ecoplexus.com>; Middleton, Will <willmiddleton@parkerpoe.com>

Subject: [External] Re: Ecoplexus settlement and request to cancel MTD

Josh or JoAnne:

Can you please confirm that the oral argument scheduled for tomorrow morning is cancelled or held in abeyance pending approval of the settlement?

Matt

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From: Weston Adams <weston.adams@nelsonmullins.com>

Sent: Thursday, September 10, 2020 3:51:44 PM

To: Minges, Josh <Josh.Minges@psc.sc.gov>; Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; Cooper, J. Ashley <ashleycooper@parkerpoe.com>

Cc: Pittman, Jenny <jpittman@ors.sc.gov>; Court Walsh <court.walsh@nelsonmullins.com>; MATTHEW GISSENDANNER (Services - 6) <matthew.gissendanner@dominionenergy.com>; Paul Esformes <pesformes@ecoplexus.com>; Middleton, Will <willmiddleton@parkerpoe.com>

Subject: RE: [External] Ecoplexus settlement and request to cancel MTD

JoAnne and Josh:

Thanks very much for all your efforts on this matter-
Weston



WESTON ADAMS, III **PARTNER**
Co-Chair, Energy Industry Group
weston.adams@nelsonmullins.com

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From: Minges, Josh <Josh.Minges@psc.sc.gov>
Sent: Thursday, September 10, 2020 3:28 PM
To: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; J. Ashley Cooper <ashleycooper@parkerpoe.com>
Cc: Pittman, Jenny <jpittman@ors.sc.gov>; Weston Adams <weston.adams@nelsonmullins.com>; Court Walsh <court.walsh@nelsonmullins.com>; MATTHEW GISSENDANNER <matthew.gissendanner@dominionenergy.com>; Paul Esformes <pesformes@ecoplexus.com>; Middleton, Will <willmiddleton@parkerpoe.com>
Subject: Re: [External] Ecoplexus settlement and request to cancel MTD

◀External Email▶ - From: Josh.Minges@psc.sc.gov

Parties:

I'm glad you were able to resolve your differences.

Warm regards,

Josh

From: Cooper, J. Ashley <ashleycooper@parkerpoe.com>
Sent: Thursday, September 10, 2020 3:11:41 PM
To: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; Minges, Josh <Josh.Minges@psc.sc.gov>
Cc: Pittman, Jenny <jpittman@ors.sc.gov>; Weston Adams <weston.adams@nelsonmullins.com>; Court Walsh <court.walsh@nelsonmullins.com>; MATTHEW GISSENDANNER <matthew.gissendanner@dominionenergy.com>; Paul Esformes <pesformes@ecoplexus.com>; Middleton, Will <willmiddleton@parkerpoe.com>
Subject: [External] Ecoplexus settlement and request to cancel MTD

Jo Anne and Josh:

The parties have reached a settlement of all issues and no longer require the hearing scheduled for Sept 11, 2020. The parties will be executing the settlement shortly. Upon execution, the parties will file the settlement with the Commission and request Commission approval. The parties therefore request that tomorrow's hearing be canceled and that all future procedural items for this docket be held in abeyance until the Commission rules on the filed settlement.

We appreciate your patience and Commission's actions that helped facilitate this settlement. Please confirm our hearing tomorrow is cancelled or postponed.

Regards,
Ashley

J. Ashley Cooper
Partner



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SOUTH CAROLINA PUBLIC SERVICE COMMISSION**HEARING EXAMINER DIRECTIVE****DOCKET NO. 2019-130-E ORDER NO. 2020-84-H****SEPTEMBER 10, 2020**

C. Jo Anne Wessinger Hill
Standing Hearing Officer

DOCKET DESCRIPTION:

Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent

MATTER UNDER CONSIDERATION:

By letter dated September 10, 2020 from Dominion Energy South Carolina, Inc. ("Dominion"), Dominion and Ecoplexus, Inc. (collectively referred to as "Parties") jointly request that the Oral Argument scheduled in this matter be held in abeyance as the parties have reached a settlement.

STANDING HEARING OFFICER ACTION:

Commission staff is advised in writing that Ecoplexus, Inc. and Dominion Energy South Carolina, Inc. ("Dominion"):

"reached a settlement of all issues and no longer require the hearing scheduled for Sept 11, 2020. The parties will be executing the settlement shortly. Upon execution, the parties will file the settlement with the Commission and request Commission approval. The parties therefore request that tomorrow's hearing be canceled and that all future procedural items for this docket be held in abeyance until the Commission rules on the filed settlement."

Therefore, oral argument on Dominion's Motion to Dismiss, scheduled for September 11, 2020 at 10:00 a.m., is no longer needed at this time and should be held canceled, or at least held in abeyance, pending formal execution of a settlement agreement and approval by the Commission of the same. Additionally, all other deadlines in this matter should be held in abeyance.

As Hearing Officer in this matter, the joint request of the parties to hold the September 11, 2020 Oral Argument and all other deadlines in abeyance is granted. The Oral Argument scheduled for September 11, 2020 at 10:00 a.m. is canceled, or held in abeyance, pending formal execution of a settlement agreement and approval by the Commission of the same. The Clerk's Office of the

Commission is directed to remove the September 11, 2020 Oral Argument from the Commission's schedule.

Nothing herein prohibits other matters (if needed) or the settlement from being addressed by motion or filing from a party and consent of the Commission. The parties are asked to submit a copy of the settlement documents with the Commission upon execution.

This Order shall remain in full force and effect until further Order of the Commission.